

IN UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO, WESTERN DIVISION

CASE NO. C-1-02-0189

EDDIE F. MARSHALL
4308 Gallia Street
New Boston, Ohio 45662,

JUDGE WEBER
(MAGISTRATE JUDGE HOGAN)

And

SANDRA D. MARSHALL
4308 Gallia Street
New Boston, Ohio 45662,

and

VENA A. MARSHALL
A minor, By and Through
Eddie F. Marshall and
Sandra D. Marshall,
Her Parents and Natural Guardians,
4308 Gallia Street
New Boston, Ohio 45662,

And

KATHRYN P. MARSHALL
4308 Gallia Street
New Boston, Ohio 45662,

MOTION FOR ENLARGEMENT
OF TIME TO RESPONDE TO
MOTION FOR MORE DEFINITE
STATEMENT

Plaintiffs,

and

MATTHEW H. MARSHALL
A minor, By and Through
Eddie F. Marshall and
Sandra D. Marshall,
His Parents and Natural Guardians,
4308 Gallia Street
New Boston, Ohio 45662,

and

ABIGAIL D. MARSHALL
A minor, By and Through
Eddie F. Marshall and
Sandra D. Marshall,
Her Parents and Natural Guardians,
4308 Gallia Street
New Boston, Ohio 45662,

and

New Party-Plaintiffs

vs.

NEW BOSTON COMMUNITY SCHOOL DISTRICT
c/o Jerry Skiver
Current Superintendent
522 Glenwood Avenue
New Boston, Ohio 45662,

and

LOWELL HOWARD,
Individually and As Former Superintendent Of The
New Boston Board Of Education
1067 Gallia Pike
Haverhill, Ohio 45636,

and

REVEREND BERNARD E. TILLEY, JR.,
Individually and As Employee Of The
New Boston Board of Education
c/o The Parsonage, Haverhill United Methodist Church
41 Haverhill Lane
Haverhill, Ohio 45636,

and

MELINDA BURNSIDE
Individually and As Employee Of The
New Boston Board of Education
564 Glenwood Avenue
New Boston, Ohio 45662,
and

LINDA WESSEL
Individually and As Employee Of The
New Boston Board of Education
4155 SR #335
Portsmouth, Ohio 45662,

and

JERRY BENTLEY
Individually and As Employee Of The
New Boston Board of Education
091 Gallia Pike
Haverhill, Ohio 45636,
and

PATRICIA K. POTTER
Individually and As Employee Of The
New Boston Board of Education
Route #1
Greenup, Kentucky 41144,

and

BARBARA YVONNE CABLISH
Individually and As Employee Of The
New Boston Board of Education
1049 22nd Street
New Boston, Ohio 45662,

Defendants,

and

RACHAEL JENKINS CORIELL
Individually and As Employee Of The
New Boston Board of Education
2599 State Route #140
Wheelersburg, Ohio 45694,

and

LORRAINE S. CLERICO aka LORRAINE SPARKS
Individually and As A Member Of The
New Boston Board Of Education
3342 Gallia Street
New Boston, Ohio 45662,

and

SUSAN E. GOINS
Individually and As A Member Of The
New Boston Board of Education
552 Glenwood Avenue
New Boston, Ohio 45662,

and

GREG GRANT
Individually and As A Member Of The
New Boston Board of Education
806 Lakeview Avenue
New Boston, Ohio 45662,

and

JOSEPH W. MCGRAW
Individually and As A Member Of The
New Boston Board Of Education
777 Adams Lane
Lucasville, Ohio 45648,

and

CONNIE SPENCER

Individually and As A Member Of The
New Boston Board Of Education
208 Ohio Avenue
New Boston, Ohio 45662

and

ANTHONY W. TAYLOR

Individually and As A Member Of The
New Boston Board Of Education
4220 Spruce Street
New Boston, Ohio 45662,

and

JOHNNY D. WHISMAN

Individually and As A Member Of The
New Boston Board of Education
4309 Rhodes Avenue
New Boston, Ohio 45662

and

SCOTT WHISMAN

Individually and As A Member Of The
New Boston Board Of Education
4223 Brookside Drive
New Boston, Ohio 45662,

and

WILLIAM D. WILLIAMS

Individually and As A Member Of The
New Boston Board of Education
4318 Rhodes Avenue
New Boston, Ohio 45662

New-Party Defendants.

Now come plaintiffs, by and through their counsel and respectfully move this Court for its order for any enlargement of time to and including July 30th within which plaintiffs may file their response to the Motion of Defendants For a More Definite Statement, or in the Alternative Motion To Strike, upon the ground that due to the Fourth of July Holiday, and the out of state family vacation of counsel for plaintiff from July 9 through July 16th additional time is necessary for plaintiff to fully brief and argue their Response and Oposition to the Motions of defendants.

s/ Joseph Bancsi

JOSEPH BANCSI Ohio Reg. No.0025450
Attorney For Plaintiffs
Lakeside Place, Suite 450
323 West Lakeside Avenue
Cleveland, Ohio 44113
(216) 781-0111
(216) 781-6242 fax
jb@bancsilaw.com

CERTIFICATE OF SERVICE

True copies of the foregoing Amended Complaint was served on the following by the electronic filing system of the Court on this 7th day of July, 2004.

James Petro, Attorney General of the State of Ohio
30 East Broad Street, Columbus, Ohio 43215
Roger F. Carroll, Assistant Attorney General of Ohio
Education Section
30 East Broad Street, 16th Floor
Columbus, Ohio 43215

Counsel for Defendants,
The Ohio Department of Education and Susan Tave Zelman

R. Gary Winters
McCaslin, Inbus & McCaslin
The Provident Building, Suite 900
632 Vine Street
Cincinnati, Ohio 45202

Counsel for Defendants,
New Boston Community School District, Lowell Howard, Reverend Bernard E.
Tilley, Jr., Melinda Burnside, Linda Wessel, Jerry Bentley, Patricia K. Potter, and
Barbara Yvonne Cablish.

Service on New-Party Defendants, Rachael Jenkins Coriell, Lorraine S.
Clerico, Elaine N. Evans, Anna M. Gilley, Susan E. Goins, Greg Grant, Joseph W. McGraw,
Connie Spencer, Anthony W. Taylor, Johnny D. Whisman, Scott Whisman, and William D.
Williams, will be made by the United States Marshals pursuant to the provisions of the prior
order of this Court.

s/ Joseph Bancsi

Attorney For Plaintiffs